THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.No.4717 of 2005

Between:

Maddukrishnam Raju. … Petitioner

and

The District Manager,
Housing, Visakhapatnam and others. … Respondents

ORDER:

Heard the learned counsel for the petitioner. None appeared on behalf of the respondents.

The petitioner is a resident of Rolugunta Village and Mandal, Visakhapatnam District. It is stated that he is an agriculturist and belongs to BC-D caste. It is stated that though his house including some others houses were burnt in the year 2002, till today, no compensation was paid.

While the matter stood thus, the Government of India issued guidelines under Indira Awaas Yojana (for short "IAY scheme"), which came into effect from 01-04-2004. As per the said guidelines, the beneficiaries of each grampanchayat have to be identified by conducting a grama sabha.

It is stated that pursuant to the guidelines issued under IAY scheme, the 1st respondent passed order, dated 24-12-2004, stating that administrative sanction is accorded for 617 houses at the rate of Rs.25,000/- per house and accordingly, the 3rd respondent is requested to conduct grama sabha and furnish resolution along with beneficiaries list duly issuing patta/LPC only in the name of female member of the family alternatively, it can be issued in the joint name of wife and husband of the family as per GOI guidelines. Further, the 2nd respondent is entrusted with the execution of the said houses duly attending PRA exercise.

It is stated that though the name of the petitioner was shown in the

first list regarding identification of the beneficiaries, without conducting any grama sabha, the second list was submitted deleting the name of the petitioner.

It is the case of the petitioner that without conducting any grama sabha, at the instance of the local MLAs, the second list was submitted without following the guidelines issued by the Government of India under IAY scheme. It is stated that in fact the Collector/Executive Director, A.P.State Housing Corporation, Visakhapatnam, also requested to conduct grama sahba and follow the guidelines issued under IAY scheme, but the same has not been followed.

This court, on 10-03-2005, while issuing notice before admission, the respondents are directed to set apart one unit of house, while allotting the same to the other beneficiaries.

As one unit of the house was already set apart and as the petitioner was identified as one of the beneficiaries in the first list, in the absence of any counter filed by any of the respondents, I am of the opinion that the petitioner is entitled for one unit of the house.

Accordingly, the writ petition is disposed of directing the respondents to allot one unit of the house to the petitioner, as one of the beneficiaries, and take appropriate action in accordance with law. There shall be no order as to costs.

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16-03-2007

Prv